

**EIGHTY-SIXTH GENERAL ASSEMBLY  
2015 REGULAR SESSION  
DAILY  
HOUSE CLIP SHEET**

APRIL 1, 2015

**Senate Amendment to  
HOUSE FILE 347**

**H-1165**

1 Amend House File 347, as amended, passed, and  
2 reprinted by the House, as follows:  
3 1. Page 1, by striking lines 1 and 2 and inserting:  
4 <Section 1. Section 237A.1, subsection 3,  
5 paragraphs b, g, and h, Code 2015, are amended by  
6 striking the paragraphs.>  
7 2. By renumbering as necessary.

RECEIVED FROM THE SENATE

**H-1165** FILED MARCH 31, 2015

**HOUSE FILE 598**

**H-1168**

1 Amend House File 598 as follows:  
2 1. Page 1, before line 1 by inserting:  
3 <Section 1. Section 533D.9, subsection 2, paragraph  
4 b, Code 2015, is amended to read as follows:  
5 b. The annual percentage rate as computed pursuant  
6 to the federal Truth in Lending Act. The annual  
7 percentage rate of all charges, penalties, and fees,  
8 related to the amount of the initial transaction, shall  
9 not exceed one hundred percent.>  
10 2. Title page, line 2, after <option> by inserting  
11 <and providing a maximum finance charge>  
12 3. By renumbering as necessary.

**By** HUNTER of Polk

**H-1168** FILED MARCH 31, 2015

HOUSE FILE 599

H-1167

1 Amend House File 599 as follows:

2 1. By striking everything after the enacting clause  
3 and inserting:

4 <Section 1. Section 275.12, Code 2015, is amended  
5 by adding the following new subsection:

6 NEW SUBSECTION. 4A. a. The area education agency  
7 board in reviewing a petition as provided in sections  
8 275.15 and 275.16 that is not subject to the division  
9 of assets and liabilities provisions in sections 275.29  
10 through 275.31 shall review the proposal for dividing  
11 liability for payment of outstanding bonds issued under  
12 section 423E.5 or 423F.4, required to be included under  
13 section 275.28, and may change or amend the proposal in  
14 any manner, including to specify a different division  
15 for the reorganized districts or a different method of  
16 payment or retirement of the bonds as may be required  
17 by law, justice, equity, and the interest of the  
18 people. The review conducted by the area education  
19 agency, including any resulting change to the proposal,  
20 shall ensure that the reorganized district's estimated  
21 revenue under section 423F.2 is sufficient for the  
22 payment of principal and interest on the outstanding  
23 bonds required to be paid in the budget year following  
24 the reorganization.

25 b. For bonds issued under section 423E.5 or 423F.4,  
26 the approval of the reorganization at election creates  
27 a lien on the revenues from the secure an advanced  
28 vision for education fund received by the reorganized  
29 district designated in the proposal approved by the  
30 area education agency, subject to the same priority as  
31 provided by the affected school district that issued  
32 the bonds.

33 Sec. 2. Section 275.28, Code 2015, is amended to  
34 read as follows:

35 275.28 Plan of division of assets and liabilities.

36 In addition to setting up the territory to comprise  
37 the reorganized districts, a reorganization petition  
38 ~~may shall~~ provide for a division of assets and  
39 liabilities of the ~~old~~ districts between affected among  
40 the reorganized districts. If no provision is made in  
41 ~~the petition for division of assets and liabilities,~~  
42 ~~or if~~ However, if territory is excluded from the  
43 reorganized district by the petition or by the area  
44 education agency board of directors, the division of of  
45 all assets and liabilities shall be made under the  
46 provisions of sections 275.29 to 275.31.

47 Sec. 3. Section 275.29, Code 2015, is amended to  
48 read as follows:

49 275.29 Division of assets and liabilities after  
50 reorganization.

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1 1. Between July 1 and July 20, or on a date  
2 determined by agreement of the initial board and the  
3 boards of districts receiving territory of the school  
4 districts affected, but not later than August 30,  
5 the initial board of directors of the newly formed  
6 school district shall meet with the boards of the  
7 school districts affected by the organization of  
8 the new school corporation, including the boards of  
9 districts receiving territory of the school districts  
10 affected, for the purpose of reaching joint agreement  
11 on an equitable division of the assets of the several  
12 school corporations or parts of school corporations  
13 and an equitable distribution of the liabilities of  
14 the school districts affected corporations or parts of  
15 corporations. In addition, if outstanding bonds are  
16 general obligation indebtedness is in existence in any  
17 district, the initial board of directors of the newly  
18 formed school district shall meet with the boards of  
19 all school districts affected prior to April 15 prior  
20 to the school year the reorganization is effective to  
21 determine the distribution of liability for payment  
22 of the general obligation bonded indebtedness between  
23 the districts so that the newly formed district may  
24 certify its budget under the procedures specified  
25 in chapter 24. The boards shall consider the  
26 mandatory levy required in section 76.2 and shall  
27 assure the satisfaction of outstanding obligations of  
28 each affected school corporation. If the petition  
29 includes plans for the distribution of the bonded  
30 indebtedness, the exclusion of territory from the  
31 reorganized district does not require action pursuant  
32 to this section. If a school district affected by  
33 the reorganization has outstanding bonds issued under  
34 section 423E.5 or 423F.4, the joint agreement shall  
35 assure that the estimated revenue under section 423F.2  
36 for each district to which liability for payment of  
37 such bonds is assigned is sufficient for the payment  
38 of principal and interest on the outstanding bonds  
39 required to be paid in the budget year following  
40 reorganization.

41 2. For bonds issued under section 423E.5 or 423F.4,  
42 the approval of the joint agreement creates a lien on  
43 the revenues from the secure an advanced vision for  
44 education fund received by the school district to which  
45 liability is assigned, subject to the same priority as  
46 provided by the affected school district that issued  
47 the bonds.

48 Sec. 4. Section 275.30, Code 2015, is amended to  
49 read as follows:

50 275.30 Arbitration.

1     1. If the boards cannot agree on such division and  
2 distribution, the matters on which they differ shall  
3 be decided by disinterested arbitrators, one selected  
4 by the initial board of directors of the newly formed  
5 district, ~~one by each of the boards of directors~~  
6 ~~of the school districts affected,~~ and one selected  
7 jointly by the boards of directors of contiguous  
8 districts receiving territory of the school ~~district~~  
9 districts affected. ~~If the number of arbitrators~~  
10 ~~selected is even, a disinterested arbitrator shall be~~  
11 ~~added,~~ and one selected by the area education agency  
12 administrator.

13     2. The decision of the arbitrators shall be made  
14 in writing and filed with the secretary of the new  
15 corporation, and a party to the proceedings may appeal  
16 the decision to the district court by serving notice  
17 on the secretary of the new corporation within twenty  
18 days after the decision is filed. The appeal shall  
19 be tried in equity and a decree entered determining  
20 the entire matter, including the levy, collection, and  
21 distribution of any necessary taxes.

22     3. a. If a school district affected by the  
23 reorganization has outstanding bonds issued under  
24 section 423E.5 or 423F.4, the arbitrators' decision and  
25 any decision of the court on appeal shall assure that  
26 the estimated revenue under section 423F.2 for each  
27 district to which liability for payment of such bonds  
28 is assigned is sufficient for the payment of principal  
29 and interest on the outstanding bonds required to be  
30 paid in the budget year following reorganization.

31     b. The issuance of the arbitrators' decision or  
32 court decision on appeal creates a lien on the revenues  
33 from the secure an advanced vision for education fund  
34 received by the district to which the liability for  
35 payment of the bonds were assigned, subject to the same  
36 priority as provided by the affected school district  
37 that issued the bonds.

38     Sec. 5. Section 275.53, subsection 1, Code 2015, is  
39 amended to read as follows:

40     1. The commission shall send a copy of its  
41 dissolution proposal or shall inform the board that  
42 it cannot agree upon a dissolution proposal not later  
43 than one year following the date of the organizational  
44 meeting of the commission. If the dissolving school  
45 district has outstanding bonds issued under section  
46 423E.5 or 423F.4, the proposal shall require each  
47 school district receiving territory from the dissolving  
48 district to assume liability for the payment of a  
49 portion of such bonds that is equal to the percentage  
50 of the total number of resident pupils from the

1 dissolving district who lived in the territory received  
2 during the last year of the dissolving district's  
3 existence. The commission shall also send a copy of  
4 the dissolution proposal to the boards of directors  
5 of all school districts to which area of the ~~affected~~  
6 dissolving school district will be attached. If the  
7 board of a district to which area of the ~~affected~~  
8 dissolving school district will be attached objects  
9 to the attachment, within ten days following receipt  
10 of the dissolution proposal the board shall send  
11 its objections in writing to the commission. The  
12 commission may consider the objections and may modify  
13 the dissolution proposal. If the dissolution proposal  
14 is modified, the commission shall notify the boards of  
15 directors of all school districts to which area of the  
16 ~~affected~~ dissolving school district will be attached.

17 Sec. 6. Section 275.54, subsection 4, Code 2015, is  
18 amended to read as follows:

19 4. a. If the board of a district to which area  
20 of the ~~affected~~ dissolving school district will  
21 be attached objects to the division of assets and  
22 liabilities contained in the dissolution proposal, the  
23 matter shall be decided by a panel of disinterested  
24 arbitrators. The panel shall consist of one arbitrator  
25 selected jointly by ~~each~~ affected district districts  
26 objecting to the provisions of the dissolution  
27 proposal, one selected jointly by ~~each~~ the affected  
28 ~~district districts~~ in favor of the provisions of the  
29 dissolution proposal, and one selected by ~~each~~ the  
30 dissolving district. If the number of arbitrators  
31 selected is even, a disinterested arbitrator shall be  
32 selected by the administrator of the area education  
33 agency to which the dissolving district ~~or districts~~  
34 ~~belong~~ belongs. The decision of the arbitrators shall  
35 be made in writing and filed with the secretary of  
36 ~~the new corporation~~ each affected school district. A  
37 party to the proceedings may appeal the decision to  
38 the district court by serving notice on the secretary  
39 of ~~the new school corporation~~ each affected school  
40 district within twenty days after the decision is  
41 filed. The appeal shall be tried in equity and a  
42 decree entered determining the entire matter, including  
43 the levy, collection, and distribution of any necessary  
44 taxes.

45 b. If the dissolving district has outstanding bonds  
46 issued under section 423E.5 or 423F.4, the arbitrators'  
47 decision and any decision of the court on appeal shall  
48 require each school district receiving territory from  
49 the dissolving district to assume liability for the  
50 payment of a portion of such bonds that is equal to

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1 the percentage of the total number of resident pupils  
2 from the dissolving district who lived in the territory  
3 received during the last year of the dissolving  
4 district's existence.

5 Sec. 7. Section 275.55, Code 2015, is amended by  
6 adding the following new subsection:

7 NEW SUBSECTION. 5. For bonds issued under section  
8 423E.5 or 423F.4, the approval of the dissolution at  
9 election creates a lien on the revenues from the secure  
10 an advanced vision for education fund received by the  
11 district to which liability for payment of a portion of  
12 such bonds, subject to the same priority as provided  
13 by the dissolving school district. However, such a  
14 lien is limited to the extent required to satisfy  
15 payments for the portion of the liability assigned to  
16 the district.

17 Sec. 8. APPLICABILITY. This Act applies to  
18 reorganization petitions and dissolution proposals  
19 filed under chapter 275 on or after July 1, 2015.>

**By** BYRNES of Mitchell

**H-1167** FILED MARCH 31, 2015

**SENATE FILE 462**

**H-1166**

1 Amend Senate File 462, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 1, line 13, after <employee> by inserting  
4 <or agent>

5 2. Page 2, line 23, by striking <medical>

COMMITTEE ON EDUCATION

JORGENSEN of Woodbury, Chairperson

**H-1166** FILED MARCH 31, 2015